



MEMO ENDORSED

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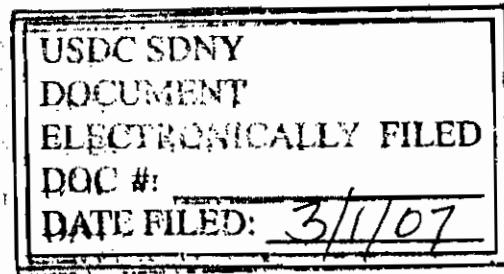
February 28, 2007

BY FACSIMILE

The Honorable James C. Francis IV
United States Magistrate Judge, Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1960
New York, New York 10007-1312

Re: *Abdell, et al. v. City of New York, et al.* 05 CV 8453 (KMK)(JCF)

Dear Judge Francis:



Defendants write to request an alteration to the current briefing schedule for two pending applications in the Abdell case. Specifically, defendants request the Court endorse the following schedule:

- Defendants' Motion to Dismiss Pursuant to Rules 37(b)(2) and 41(b) – defendants request an extension up to and including March 14, 2007 to submit their *reply* to plaintiff's February 20, 2007 opposition papers.
- Plaintiff's Motion to Compel Discovery – defendants request an extension up to and including March 9, 2007 to submit their *opposition* to plaintiff's February 12, 2007 motion. Plaintiffs informed defendants they would like to submit their *reply* on or before March 26, 2007. Defendants consent to plaintiffs' proposed *reply* date.

Plaintiff's counsel, Michael L. Spiegel, Esq. has agreed to this proposed amended schedule. If this meets with your approval, would you kindly "so order" it. Thank you.

Very truly yours,

Jeffrey A. Dougherty

cc: Michael L. Spiegel, Esq. (by Facsimile)

3/1/07

Amendment granted.
so ORDERED

James C. Francis IV
USM